JANUARY, 1784. THE NUMB. 2798.

PENNSYLVANIA GAZETTE.

WEDNESDAY, JANUARY 28, 1784.

PHILADELPHIA, *January* 28.

A MESSAGE from the PRESIDENT *and the* SUPREME EXECUTIVE COUNCIL *to the* GENERAL ASSEMBLY.

GENTLEMEN,

WE congratulate you upon the definitive treaty between The United States and *Great-Britain*, and the ratification of it, which closes the conteſt with the forms eſtabliſhed by uſage upon ſimilar occaſions.

Theſe ſtates having entered into the ſociety of ſovereign nations, a weight of duty lies on thoſe, who are inveſted with the authority of each, diligently and carefully to deliberate upon the meaſures, by which they may be enabled, with the greateſt advantage, to improve the bleſſing of peace.

Your wiſdom, we are perſuaded, will determine, that one of the moſt effectual means for attaining that end will be, to cultivate a ſpirit of union among our conſtituents, and a confidence in the public councils; and we rely on your prudence and attention to the welfare of the commonwealth, for a happy increaſe of theſe deſirable diſpoſitions.

GENTLEMEN,

Several national affairs of importance have occurred to us, upon which we have written to our Delegates. Some of them require the exertion of your authority without loſs of time, particularly the late Proclamation of his *Britannic* Majeſty, and we ſhall be pleaſed if our ſentiments meet with your approbation. Copies of the letters will be communicated by the Secretary. He will alſo deliver to you letters from the Preſident of Congreſs, of the 23d of *December*, and the 14th of *January*----from the Delegation, of the 30th of *December*, and 13th of *January*---from the Governor of *Connecticut*, of the 15th, and from General *Armand*, of the 25th of *November*----and from Mr. *de Creveceur*, of the 23d of *December*.

The advancement of the revenue, by ways that ſhall be moſt eaſy to the people, demands immediate and ſerious conſideration. The experience of other countries, and the example of ſome of theſe ſtates, point out the propriety of further impoſts upon imported merchandizes. This arrangement is reconcileable to that ſmallneſs of port charges and ſimplicity of cuſtoms, which are of ſo much conſequence to commerce, and alſo to the intercourſe with the other ſtates, which cannot be too aſſiduouſly promoted. The exciſe may be rendered more productive. Duties on ſeveral articles that might be enumerated appear to us adviſeable. By ſuch regulations, we apprehend very beneficial and reaſonable contributions might be procured from thoſe who are able to afford them, and in a manner the moſt convenient, and the burthens upon land-holders and the poorer claſſes of our fellow-citizens be alleviated. We think it unneceſſary to repeat ſome other obſervations relating to revenue, that have been mentioned in former meſſages. If adequate funds are appropriated, ſo that prompt and exact payments can be made, the intereſt of loans may, with entire ſatisfaction to lenders, become more moderate, to the great relief of the ſtate. The Bank, perhaps, may in time facilitate operations of this kind. When public credit ſhall have acquired ſtability, by a firm adherence to ſound principles of policy, regularity and juſtice, with their ſalutary influences, may pervade the whole adminiſtration of government.

A due order, and accurate method in preparing all our products in the beſt manner for exportation, are abſolutely neceſſary for recommending them abroad.

The conveyance and tranſportation of commodities from one place to another, with the leaſt trouble and expence, are objects that claim the ſtricteſt regard. Roads towards the weſtern and northern frontiers are much wanted.

It might be of uſe, if the laws reſpecting inſolvent traders and dealers were ſo altered, that an equitable diſtribution might be made of their effects among their creditors, ſaving the right of mortgagees and landlords, and a permanent rule be fixed as to the releaſe of their perſons.

Counterfeiters of the papers called checks, and alſo of any certificates iſſued by the ſtate, ſhould be exemplarily puniſhed. Suitable proviſion has not been yet made againſt theft of ſuch property.

The Admiralty juriſdiction admits of very advantageous alterations. It is of moment, that, at this early period of our independence, we ſhould become known to foreigners as a people, among whom they are ſure, in all their concerns, of ample protection, and of an effectual, cheap and ſpeedy adminiſtration of juſtice.

No authority has been veſted in Council, for carrying into execution the treaties of amity and commerce between The United States and other powers, as far forth as occurrences may happen within this ſtate, where the exerciſe of ſuch authority may be required.

It is our moſt earneſt wiſh, that the General Aſſembly may always cheriſh and patronize, in a very diſtinguiſhed manner, that baſis of *Pennſylvanian* commerce----Agriculture.

By their aſſiſtance, the uſeful diſcoveries that have been or ſhall be made in countries longer ſettled may ſoon be introduced, and be generally communicated, that otherwiſe might remain little known here for ages to come. The ingenious and learned gentlemen who compoſe the Philoſophical Society, we are aſſured, would rejoice to execute the generous deſigns of the Legiſlature, and would faithfully apply and account for any ſums of money that ſhould be committed to their management for theſe purpoſes.

Another great encouragement of agriculture would be afforded, by rendering purchaſes of land more ſafe. This might in a conſiderable degree be accompliſhed, by quieting poſſeſſions after a reaſonable term of years, and by having the records in all the public offices kept in a manner eaſy to be preſcribed, ſo that a title could be readily traced thro' them. Under a law, paſſed the 7th of *July*, 1759, duplicates were made of a great number of papers in the Secretary's and Surveyor-General's offices, for rendering real eſtates more ſecure. It ſeems worthy the conſideration of the legiſlature, how theſe valuable records ſhould be preſerved, and whether the collection ſhould be continued.

If to the natural advantages of this ſtate be added the habits of induſtry, frugality and temperance, her proſpects will be very favorable. Theſe are not only private virtues, contributing to the happineſs of individuals: They are public benefits, contributing to the happineſs of a ſociety. It is the combination of theſe qualities, that muſt determine whether trade ſhall enrich and ſtrengthen, or impoveriſh and weaken----that is to cauſe the production and exportation of native commodities to bear a due proportion to our imports---that leads to a correction of errors concerning mechanics and manufacturers, thoſe neceſſary members in the body of a community— and that tends ſo directly to diffuſe vigour throughout a government.

The caſes in which the ineſtimable writ of *Habeas Corpus* is to iſſue, and the mode of obtaining and proceeding upon it, ſhould be aſcertained with all poſſible preciſion, ſo that no doubts, delays or difficulties may obſtruct that relief which it ought to yield.

It ſeems proper, alſo, that the duties of Grand Juries ſhould be more expreſly defined.

The acts relating to elections require a reviſion; and many and great amendments ſtill remain to be made in thoſe for regulating the militia.

GENTLEMEN,

It is much to be deſired, that the ſyſtem of our juriſprudence may receive every improvement we can give it, as ſoon as ſuch a work can be accompliſhed. Conſtancy in the laws, the preſervation of domeſtic concord, order and tranquility, and a ſtrength ſufficiently prepared for defence againſt injuries, are eſſential to the happineſs of a ſtate. They are alſo the foundations of a reputation, that invites an acceſſion of ingenious and induſtrious people from other parts of the world, to ſhare in the bleſſings, of which ſuch a character offers them an aſſurance.

Every citizen of *Pennſylvania*, therefore, who reſpects his own intereſt, the welfare of his family, or the proſperity of his country, will deſire and endeavour, that the vaſt importance of theſe ſubjects may be perfectly underſtood, and religiouſly regarded.

From the meaſures of your honorable Houſe, Gentlemen, we truſt, they will derive a recommendation and ſanction.

JOHN DICKINSON.

COUNCIL-CHAMBER,
Philadelphia, Jan. 19, 1784.

Mr. Peale's ingenious repreſentation of paintings having been prevented by an unfortunate accident, a number of citizens, deſirous of teſtifying their regard for his particular merit on this occaſion, and of ſhewing their zeal and attachment to the glorious cauſe of the intended celebration, have agreed to raiſe a ſum by ſubſcription to renew the exhibition.

It is preſumed, from the very rapid and generous manner in which gentlemen have already ſubſcribed, that a ſufficient ſum will be raiſed in the courſe of a day or two, to compleat the work.

N. B. It may not be amiſs to obſerve, Mr. Peale's generoſity was ſuch, that he had it in contemplation to renew the paintings at his own expence.

There is to be no diſplay of rockets or other fire-works.

Lieutenant-Colonel Franks is appointed to take charge of a Triplicate of the Definitive Treaty of Peace between the United States and Great-Britain, with the ratification of Congreſs. That gentleman will embark the firſt good opportunity for Europe, to deliver his charge to the American Commiſſioners.

We have authority to aſſure the public, that the ſubſcription for erecting a Bank, by the name of the Bank of Pennſylvania, is very rapidly filling.

*** Mr. AUSTIN's Addreſs to the Public, and a number of Advertiſements, are omitted this Week, for Want of room, but ſhall appear in our next.

*** LOST at the late fire in Cheſtnut-ſtreet, two large new Fire Buckets, without any painting or name on them. The perſon who has them in poſſeſſion is requeſted to return them to WILLIAM MOULDER.

RICHMOND (Virginia) January 10.

Early on Tueſday morning laſt we had ſeveral flaſhes of lightning and claps of thunder, to the no ſmall aſtoniſhment of the hearers; and about the middle of the day it grew remarkably miſty, but was in a ſhort time cleared away by a violent guſt of wind and rain, which blew down ſeveral chimnies; ſince which we have had a very ſudden thaw, the river has riſen conſiderably, many of the bridges on Chickahominy rendered impaſſable, and we have now as cold weather as has been felt here for ſeveral winters paſt.

BALTIMORE, January 20.

Paragraph from a late London Paper.

"The declaration containing the ultimatum of Ruſſia, has been anſwered by the Porte in a moſt maſterly ſtyle. After animadverting on the encroaching ſpirit of the court of Peterſburgh, the Porte proceeds to invalidate the claims of the Empreſs to the Crimea, and to expoſe the wantonneſs of power which induced her imperial majeſty to claim the Black Sea, with the iſles of Taman and Cuba.---What pretenſion or right (ſays the replication of the Porte) can her imperial majeſty have to territories, annexed for ages to the dominion of the Porte? Would ſuch claims on any part of the Ruſſian empire not be inſtantly reſiſted? and can it be preſumed that the Sublime Porte, however deſirous of peace, will acquieſce in what ambition may term policy, but what juſtice and equity would term uſurpation? What Northern power hath the Porte offended? Whoſe territories have the Ottoman troops invaded? In the country of what prince is the Turkiſh ſtandard diſplayed? Content with the boundaries of empire aſſigned by God and his prophet, the wiſhes of the Porte are for peace: but if the court of Ruſſia be determined in her claims, and will not recede without an acquiſition of territory which does not belong to her---appealing to the world for the juſtice of the proceeding, the Sublime Porte muſt prepare for war, relying on the decrees of Heaven, and confident of the interpoſition of the prophet of prophets, who will protect his faithful followers in the hour of difficulty."

NEW-YORK, January 24.

The brig Richard, Capt. Denniſton, from North-Carolina, dragged her anchor in the ſtorm on Monday, and came aſhore on Staten-Iſland at the Watering Place. All her hands much froſt-bitten.

The ſchooner John and Frederick, from Havannah, is alſo aſhore at Princes Bay, bilged.

We are informed, that the French packet L'Courier de Port Louis, Capt. Tuvache, bound to this port, is unfortunately caſt away in the late ſevere gale of wind, and that ſome of the people have periſhed with the extreme cold.

The ſhip Julius Cæſar, Capt. Lee, from Cadiz, bound to Newbury-Port, was caſt away the firſt inſt. on the back of Cape-Cod, where ſhe went to pieces.

The ſhip Revolution, Capt. Lapell, from Amſterdam, bound to Boſton, was likewiſe caſt away on Plumb-Iſland, off Newbury, about the firſt inſtant.

The brig Peace and Plenty, Capt. Callahan, from London for Boſton, is alſo aſhore at the ſame place; but it is expected ſhe will be got off, and moſt of the cargoe ſaved.

The ſloop Randolph, Capt. Lyon, from Jamaica, was driven aſhore on the Weſt Bank. The veſſel and cargoe is loſt, and five of the hands are ſaid to have periſhed.

A PERSON is WANTED, who will undertake to manage a good farm, with a great quantity of beſt watered meadow, on rent or on ſhares, and whoſe wife has been uſed to a dairy, and will undertake to manage, in the beſt manner, the milk of ten or twelve cows, &c.

Alſo, a ſingle MAN is WANTED, to tend a ſmall griſt-mil and ſaw-mill, and other work on the premiſes, in Berks county For terms, enquire of the ſubſcriber, in the Northern Liberties near Philadelphia. DANIEL WILLIAMS.

Januuary 17, 1784.

FOR SALE,

A VALUABLE Griſt-mill, Saw-mill, large and commodious Dwelling-houſe, and other neceſſary Buildings, together with about 70 acres of good Land; it being on Conewago creek, ſeven miles from York-Town, and belonging to the eſtate of William Love, deceaſed.

JOHN LOVE, and ELISHA KIRK, Executors.

TO BE LETT,

A PLACE on Frankford road, about four miles from the city, containing about 20 acres. On ſaid place is a new two ſtory ſtone houſe and kitchen, ſtone barn and ſtabling; alſo a log houſe, ſhed, hog-pen, cyder-mill and preſs, a good well, a young orchard, with fruits of all kinds, and meadows. Said place would ſuit very well to carry on any public buſineſs, being ſo near a public road, or for a gentleman's country ſeat, and would be lett for ſome years. Poſſeſſion can be given by the 12th of March next. Enquire of GEORGE SEITZ, taylor, living in Water-ſtreet, between Arch and Market-ſtreets, near the Old Ferry.

N. B. Likewiſe to be lett, for ſome years, A LOT on Vine-ſtreet, between Fifth and Sixth ſtreets.

To be LETT on Ground-rent for ever,

TWENTY-SEVEN LOTS of GROUND, of 20 feet front each, ſituate partly on Second-ſtreet, continued in the Northern Liberties of the city of Philadelphia, and partly on Pegg-ſtreet, leading out of the ſaid Second into Front-ſtreet continued, near the north ſide of the new bridge. As all the ſaid lots run into the middle of Pegg's Run, and lie near the New-Market, on Callowhill, they ſuit tanners, ſkin-dreſſers, &c. For terms, apply to SAMUEL GARRIGUES, at the corner of Elm and Third-ſtreets, or at PETER MILLER's Office, where the plan may be ſeen.

The ſubſcriber, living in YORK-TOWN,

HAS FOR SALE,

A VALUABLE Tract of LAND, ſituate in Mancheſter townſhip, two miles from York-Town, containing about 125 acres, about 8 acres of watered meadow may be made, the upland is fertile and good, well timbered, and plenty of limeſtone: It being ſo pleaſantly ſituate, and ſo near the town, that the purchaſer may at all times be aſſured of its commanding a good price, and doubtleſs good profit, as it is well known that eſtates in and near towns advance in real value much faſter than thoſe at a greater diſtance.

Alſo, a commodious DWELLING-HOUSE, in York Town, near Codorus creek, pleaſantly ſituate, and in a good ſtand for public buſineſs, either for a tavern or ſtore, being 32 feet front, and 30 back, beſides other neceſſary buildings, ſtables, &c. They will be ſold together or ſeparate, as may beſt ſuit the purchaſer, and indiſputable titles given, by CALEB KIRK.

WILLIAM MURDOCH,

At the ſign of the MERMAID, New-Market, Philadelphia, takes the liberty of informing the PUBLIC,

THAT he has a genteel JOB-COACH, with good horſes, and a careful driver, which will be ready to wait on any Gnentleman or Lady, by the day, week, month or year, or to carry them to any part of the city at any hour of the day; hoping to give ſatisfaction to ſuch as will pleaſe to honor him with their commands. Jan 26, 1784.

TO BE RENTED,

And entered upon the firſt day of April next,

A MERCHANT MILL and SAW-MILL, advantageouſly connected, the merchant-mill having two pair of ſtones, one thereof is the beſt cullens, with three boulting cloths and cheſts in good order, all her water works being almoſt entirely new, and calculated under the neweſt and beſt conſtruction, with plenty of water in the drieſt ſeaſon, and laying convenient to the great road where wheat may be purchaſed nearly at firſt coſt, and exportations to market at a moderate expence, and a ſufficiency of country work may be had, with a ſteady and proper application to ſaid buſineſs: Likewiſe to be lett with ſaid mills, if required, a FARM of good land, lying contiguous thereto, with a quantity of meadow, and two excellent bearing orchards, producing a variety of fruit. Any perſon or perſons inclining to view the ſame, with bringing good recommendations, may apply to the ſubſcribers, living near ſaid mills.

JOSEPH MACKELDUFF, and
Weſt-Nantmill, Jan 26. SAMUEL MACKELDUFF.

N. B. It is requeſted of all perſons that ſtand indebted to the eſtate of Samuel Mackelduff, late of the townſhip of Weſt-Nantmill aforeſaid, deceaſed, either by bill, bond, note or book-debt, to make immediate payment thereof to the ſubſcribers, in order to evade trouble. JOSEPH MACKELDUFF, & SAMUEL MACKELDUFF, Executors.

THE Aſſignees of WILLIAM BROWN earneſtly requeſt all perſons that are anywiſe indebted to the late Partnerſhip of HART and BROWN, to make payment to SEYMOUR HART, by the 15th day of February next; thoſe who neglect or refuſe to diſcharge their reſpective debts at the time mentioned, may depend that they will be dealt with as the law directs, without further notice.

CHARLES FRENCH,
ABRAHAM KINTZING,
Philad. Jan. 26, 1784. WILLIAM WEST.

WHEREAS the ſubſcriber, in September laſt, advertiſed a certain Iſaac Richardſon, as abſconding from his bail, offered One Hundred Dollars reward for ſecuring him; but as he has ſince ſurrendered himſelf, theſe are to requeſt that ſaid Richardſon may not be interrupted on account of ſaid adverteſement, as no reward will be paid by

January 14, 1784. 1w. ANDREW ZEIGLER.

In the COUNCIL *of* CENSORS,

JANUARY 19, 1784.

THE order of the day being called for, Council proceeded to conſider the report of the committee on the defects and alterations of the Conſtitution: And the ſame being read the ſecond time, was

Ordered to be taken up by paragraphs.

The Report, as amended, is as follows.

YOUR committee, to whom it was referred to report "thoſe articles of the conſtitution which are de-"fective, and the alterations and amendments," beg leave to report,

That, by the conſtitution of the ſtate of Pennſylvania, the ſupreme legiſlative power is veſted in one houſe of repreſentatives, choſen by all thoſe who pay public taxes.

Your committee humbly conceive the ſaid conſtitution to be in this reſpect materially defective:

1ſt. Becauſe, if it ſhould happen that a prevailing faction in that one houſe were deſirous of enacting unjuſt and tyrannical laws, there is no check upon their proceedings.

2dly. Becauſe an uncontrouled power of legiſlation will always enable the body poſſeſſing it to uſurp both the judicial and the executive authority, in which caſe no remedy would remain to the people, but by a revolution.

That by the ſaid conſtitution, the ſupreme executive power is delegated to a Council.

Your committee conceive the ſaid conſtitution to be in this reſpect materially defective:

1ſt. Becauſe the conſtant ſitting of a Council is expenſive and burthenſome.

2dly. Becauſe a numerous body of men, tho' poſſeſſed of wiſdom neceſſary for deliberation, will never poſſeſs the deciſion neceſſary for action on ſudden emergencies.

3dly. Becauſe, where a Council act either weakly or wickedly, there is no individual ſo accountable to the public, as every man ought to be in ſuch caſes.

4thly. Becauſe a ſingle man would never be able, of himſelf, to do ſuch acts, as he may perſuade a majority of his Council to concur in, and ſupport by their numbers.

5thly. Becauſe the election of the Preſident being by the joint ballot of the Council and Aſſembly, if a prevailing faction ſhould ever happen in the Aſſembly, ſo as to lead a conſiderable majority, the Preſident thus choſen will have nothing to fear from the legiſlature, and, by influencing the Council, would poſſeſs exorbitant authority, without being properly accountable for the exerciſe of it.

That, by the ſaid conſtitution, the judges of the ſupreme court are to be commiſſioned for ſeven years only, and are removable (for miſbehaviour) at any time, by the General Aſſembly.

Your committee conceive the ſaid conſtitution to be in this reſpect materially defective:

1ſt. Not only becauſe the lives and properties of the citizens muſt in a great degree depend upon the judges, but the liberties of the ſtate are evidently connected with their independence.

2dly. Becauſe, if the Aſſembly ſhould paſs an unconſtitutional law, and the judges have virtue enough to refuſe to obey it, the ſame Aſſembly could inſtantly remove them.

3dly. Becauſe, at the cloſe of ſeven years, the ſeats of the judges muſt depend on the will of the Council: Wherefore the judges will naturally be under an undue bias in favor of thoſe, upon whoſe will their commiſſions are to depend.

That great care is taken by the ſaid conſtitution to eſtabliſh a rotation in ſundry offices, which your committee humbly conceive to be improvident.

1ſt. Becauſe the hope of reappointment to office is among the ſtrongeſt incentives to the due execution of the truſt it confers.

2dly. Becauſe the ſtate is thereby neceſſarily deprived of the ſervice of uſeful men for a time, and compelled to make experiment of others, who may not prove equally wiſe and virtuous.

3dly. Becauſe the check intended by ſuch principle of rotation can be of no good effect to repreſs inordinate ambition, unleſs it were extended, ſo as to preclude a man from holding any office whatever.

4thly. Becauſe the privilege of the people in elections is ſo far infringed, as they are thereby deprived of the right of chuſing thoſe perſons whom they would prefer.

Your committee, having thus briefly ſtated the leading objections to the conſtitution, proceed, with all poſſible deference, to point out the articles they recommend to be ſtruck out, and to propoſe the amendments.

And firſt,---In the Bill of Rights, Sect. 9, that there be added, after the words "judgment of his peers,"---*of the vicinage.*

Becauſe the verification of the facts in the vicinity where they happen is one of the greateſt ſecurities to life, liberty and happineſs.

That as there is no clauſe in the bill of rights to prevent retroſpective laws being paſſed,

Your committee ſubmit the following:

Laws made to puniſh, for actions done before the exiſtence of ſuch laws, are unjuſt, tyrannical and oppreſſive, and inconſiſtent with the fundamental principles of a free government; nor ought any citizen, in any caſe, to be declared guilty of treaſon or felony by the legiſlature.

That Sect. 1 and 2 of the conſtitution be left out, and the following ſubſtituted:

The ſupreme legiſlative power within this commonwealth ſhall be veſted in two ſeparate and diſtinct bodies of men, the one to be called The Legiſlative Council, the other to be called The Aſſembly of the Commonwealth of Pennſylvania, who ſhall meet once at leaſt in every year, for the diſpatch of public buſineſs, and ſhall be ſtiled The General Aſſembly of Pennſylvania.

In lieu of Sect. 3, we ſubmit the following:

There ſhall be a principal executive magiſtrate, who ſhall be ſtiled the Governor of the commonwealth of Pennſylvania.

That Sect. 5 be altered, and ſtand amended as follows:

The freemen of this commonwealth, and their ſons, ſhall be trained and armed for its defence, under ſuch regulations, reſtrictions and exceptions, as the General Aſſembly ſhall by law direct.

Becauſe an uniformity in the conſtitution and diſcipline of the militia throughout the United States may be eſſential to its uſefulneſs; and becauſe the General Aſſembly, being the Repreſentatives of the people, will, in a point ſo eſſential to their ſecurity and happineſs, make the law conformable to the opinion of their conſtituents, and to the intereſt of the commonwealth.

That in Sect. 6, two years reſidence be inſerted, inſtead of one year.

In the room of Sect. 7, the following is ſubmitted:

The General Aſſembly of this commonwealth ſhall conſiſt of perſons moſt noted for wiſdom and virtue, to be choſen by the freemen of every city and county therein reſpectively, and no perſon ſhall be elected, unleſs he ſhall have reſided in the city or county for which he ſhall be choſen one year, immediately before the ſaid election. Nor ſhall any member, while he continues ſuch, hold any other office, except in the militia.

Sect. 8 to be left out, for the reaſons given on the principle of rotation.

The members of the Aſſembly ſhall be choſen annually by ballot, by the freemen of this commonwealth, on the ſecond Tueſday in October for ever, and ſhall meet on the fourth Monday of the ſame month. They ſhall be ſtiled The Aſſembly of the Commonwealth of Pennſylvania; ſhall have power to chuſe their Speaker, their other neceſſary officers, and the Treaſurer of the ſtate; they ſhall judge of the elections and qualifications of their own members, may expel a member, but not a ſecond time for the ſame cauſe; they may adminiſter oaths or affirmations in examination of witneſſes, impeach ſtate criminals, and may prepare bills to be paſſed into laws: All money bills ſhall originate in the Aſſembly only, but they ſhall not, on any occaſion, annex to or blend with a money bill, any matter, clauſe or thing, not immediately relating thereto, and neceſſary for impoſing, aſſeſſing, levying or applying the taxes or ſupplies to be raiſed for the ſupport of government, or the current expences of the ſtate---but ſhall have all other powers, neceſſary for one branch of the Legiſlature of a free ſtate or commonwealth.

In Sect. 10, A quorum of the Aſſembly ſhall conſiſt of two-thirds of the whole number of members elected, but a ſmaller number ſhall have power to adjourn from day to day. The members of the Legiſlative Council and of the Aſſembly ſhall each of them (after they have choſen their Preſident and Speaker) and before they proceed to other buſineſs, take and ſubſcribe the oath or affirmation of fidelity and allegiance, and the declaration directed to be taken by the members of Aſſembly in the 10th Section of the Conſtitution.

That Sect. 11 ſtand amended as follows:

Delegates to repreſent this commonwealth in Congreſs, ſhall be choſen by the joint ballot of the future General Aſſembly, at their firſt meeting, annually, for ever. Any Delegate may be ſuperceded at any time, by the General Aſſembly appointing another in his ſtead. No man ſhall ſit in Congreſs more than three years in any term of ſix years, and no perſon, while he holds any office in the gift of Congreſs, ſhall hereafter be elected to repreſent this commonwealth in Congreſs.

Sect. 12, being provided for by Sect. 10, to be left out.

And Sect. 13. Inſtead of "the doors of the Houſe," to inſert *the doors of each houſe.*

That Sect. 14 be altered, and ſtand amended as follows:

The votes and proceedings of the General Aſſembly ſhall be printed weekly, during their ſitting, with the yeas and nays on any queſtion, vote or reſolution, where any two members require it, except when the vote is taken by ballot.

We propoſe that the remainder of the ſection be left out.

Becauſe we conceive the entering the diſſent on the minutes, with reaſons, only tends to foment party-diſputes, weaken the force of the laws, and impede their execution.

Sect. 15, we humbly conceive, was always deluſory, and, if a ſecond Branch is agreed to, will be rendered unneceſſary.

That ſection 16 be altered, and ſtand amended as follows:

The ſtile of the laws of this commonwealth ſhall be, *Be it enacted, and it is hereby enacted by the General Aſſembly of the commonwealth of Pennſylvania, and by the authority of the ſame.*

That ſection 17 be altered as follows:

Whereas repreſentation, in proportion to the number of taxable male inhabitants, is the beſt principle which can at all times ſecure liberty, and make the voice of the people the law of the land: Therefore the General Aſſembly ſhall cauſe compleat liſts of the taxable male inhabitants in the city, and each county of the commonwealth, reſpectively, to be taken, and returned to them on or before the laſt meeting of the General Aſſembly, which ſhall be elected in the year who ſhall, in the year appoint a repreſentation in the General Aſſembly, in proportion to the number of taxables in ſuch returns, in the ratio of 1250 taxables to each repreſentative in Aſſembly, and of 2500 taxables for each repreſentative in the legiſlative council, which repreſentation ſhall continue for the enſuing ſeven years, at the end of which term a new return of the taxable male inhabitants ſhall be made, and a repreſentation agreeable thereto appointed by the ſaid General Aſſembly, and in like manner ſeptennially for ever.

And in order to prevent a too numerous repreſentation, which would be expenſive and burthenſome, the repreſentatives in Aſſembly ſhall never exceed 100 in the whole: Nor ſhall the repreſentatives in the Legiſlative Council ever exceed 50: To prevent which, the ratio ſhall be altered from time to time, as the number of taxables increaſe, ſo as to preſerve an equal repreſentation, in proportion to the taxable male inhabitants.

That Sect. 18 be altered as follows:

In order that the freemen of this commonwealth may enjoy the benefit of election as equally as may be, they ſhall meet annually, at ſuch convenient place or places within the city, and each county reſpectively, as the law may hereafter direct, and there chooſe their repreſentatives and other elective officers: And no inhabitant of this ſtate ſhall have more than one annual vote for repreſentatives in the Aſſembly and in the Legiſlative Council; nor ſhall any perſon be admitted to vote, except in the city or county in which he ſhall be an inhabitant.

That Sect. 19 be ſtruck out, and the following ſubſtituted:

To the end that the bleſſings of free and equal government may be extended and ſecured to the good people of this commonwealth, and that the laws may be more maturely conſidered, there ſhall be a Legiſlative Council, which for the preſent, and until a return is taken as heretofore directed, ſhall conſiſt of 29 perſons, who ſhall be choſen by ballot, at the time and at the places appointed for holding the elections for members of Aſſembly, and in the following proportions; that is to ſay,

The freemen of the city of Philadelphia ſhall elect 2 perſons.

County of	Philadelphia	3
	Bucks	2
	Chester	3

To ſerve for three years reſpectively.

	County of Lancaſter	
	York	3
	Cumberland	3
	Berks	2

To ſerve for two years reſpectively.

	Northampton	2
	Bedford	1
	Northumberland	1
	Weſtmoreland	1
	Waſhington	1
	Fayette	1

To ſerve for one year reſpectively.

And at the expiration of the time for which each councillor is choſen to ſerve, the freemen of the city of Philadelphia, and of each county, ſhall reſpectively elect the ſame number of councillors for the city, and each county reſpectively, as is herein directed, to ſerve for three years, and ſo on every third year. Provided, however, that the General Aſſembly ſhall not be precluded from altering the preſent number of repreſentatives, agreeable to the principle already laid down in this conſtitution, with reſpect to the election of members of Aſſembly, in proportion to the number of male taxables in the city and each county.

The Legiſlative Council ſhall be the firſt branch of the Legiſlature: Shall have power to chuſe a Preſident, and their other neceſſary officers. The Preſident ſhall have a caſting vote on all queſtions in that body, but no other vote, except when given by ballot. All bills (except money bills) may originate in the Legiſlative Council or Aſſembly, and may be altered, amended or rejected by either. They ſhall ſit on their own adjournments; but neither the Legiſlative Council or Aſſembly ſhall have power to adjourn themſelves for a longer time than two days, unleſs by mutual conſent. They ſhall judge of the election and qualifications of their own members, may expel a member, but not a ſecond time for the ſame cauſe.

They ſhall be a Court, with full authority to hear and determine all impeachments againſt any officer or officers of the government for miſconduct, or mal-adminiſtration in their offices, either when in office or otherwiſe (provided the impeachment ſhall be proſecuted within one year after their reſignation or removal) and ſhall take to their aſſiſtance (for advice only) the Judges of the Supreme Court; but, previous to the trial of every impeachment, the members ſhall be reſpectively ſworn, truly and impartially to try and determine the cauſe, according to the evidence: Nor ſhall their judgment extend farther than to removal from office, and diſqualification from holding or enjoying any place of honor, truſt or profit under the commonwealth; but the party ſo convicted ſhall nevertheleſs be liable to indictment, trial, judgment and puniſhment, according to the laws of the land.

Not leſs than two thirds of the Legiſlative Council ſhall be a quorum to do buſineſs, but a ſmaller number may adjourn from day to day. All vacancies which may happen by death, reſignation or otherwiſe, in the Legiſlative Council or Aſſembly, ſhall be filled up by writ from the Preſident of the one and Speaker of the other, directed to the Sheriff of the proper county or counties.

The Legiſlative Council ſhall meet at the ſame time and place with the Aſſembly, and ſhall have and enjoy all the powers neceſſary for a diſtinct branch of a free Legiſlature.

The Treaſurer of the ſtate, Truſtees of the Loan-office, Naval Officers, Collectors of Cuſtoms or Exciſe, or any part of the public revenue, Judge of the Admiralty, Attorney-General, Sheriffs and Prothonotaries, ſhall not be capable of a ſeat in the General Aſſembly or Continental Congreſs.

That Sect. 20 be left out, and the following inſerted:

The Governor ſhall be choſen annually by the freemen of this commonwealth, qualified as is required to entitle perſons to vote for members of Aſſembly, at the ſame time and place, or places, which ſhall be directed for the chooſing of their repreſentatives in the General Aſſembly where they ſhall give in their votes by ballot, and elect ſome fit perſon, who ſhall be a freeholder, and ſhall have reſided at leaſt ſeven years in the ſtate next before the time of his election; which votes ſhall be ſorted, caſt up and counted, and fair liſts, containing the names of the perſons voted for, and of the number of votes for each, made by the ſheriffs, judges and inſpectors, in the ſame manner as is or may be directed by law for aſcertaining the members elected for the General Aſſembly; which liſts, ſigned and ſealed by the ſaid ſheriffs, judges and inſpectors, ſhall be returned by the ſheriffs into the office of the Secretary of this commonwealth days at leaſt before the time appointed by this conſtitution for the meeting of the General Aſſembly: And the ſaid Secretary ſhall, on the firſt day of the ſeſſion, lay before the General Aſſembly the ſaid returns, and the two branches together ſhall forthwith proceed to examine the ſaid returns, and the perſon having the greateſt number of votes ſhall be by them declared and publiſhed to be Governor; but if no perſon ſhall have a majority of votes, the General Aſſembly ſhall, by joint ballot, elect one perſon out of the two who had the higheſt number of votes; or if it ſhould ſo happen, that more than two perſons had an equal and higheſt number of votes, then they ſhall elect one perſon from the whole of thoſe that have ſuch equal and higheſt number of votes; and the perſon ſo elected ſhall by them be declared and publiſhed to be the Governor.

The Governor ſhall be, in virtue of his office, General and Commander in Chief of the militia, and all forces of the commonwealth, and Admiral of the navy of the ſame. He ſhall have power to convene the General Aſſembly on extraordinary occaſions; and, at his diſcretion, to grant reprieves and pardons to perſons convicted of crimes, other than thoſe that may be convicted on impeachment, or of treaſon or murder, in which caſes he may ſuſpend the execution of the ſentence, until it ſhall be reported to the legiſlature at their ſubſequent meeting, who may direct him to pardon, grant further reprieves, or carry the ſentence or ſentences into execution. He ſhall have power to appoint and commiſſionate the Judges of the Supreme Court, and the Judges of the Courts of Common Pleas, Naval-Officers, Judge of the Admiralty, the Attorney-General, and all other officers, civil or military, except ſuch as ſhall be appointed by the General Aſſembly, or choſen by the people, agreeable to this conſtitution, whom he ſhall nevertheleſs commiſſionate. It ſhall be his duty to inform the General Aſſembly, at every ſeſſion, of the condition of the commonwealth, as far as it reſpects his department, and to recommend ſuch matters to their conſideration, as he ſhall think conducive to its welfare. He ſhall correſpond with the Continental Congreſs, and with the other ſtates, and tranſact the buſineſs of the ſtate with the officers of government, civil and military. He ſhall take care that the laws be duly executed, and ſhall expedite ſuch meaſures as may be reſolved upon by the General Aſſembly.

In caſe of abſence, reſignation, removal from office, or death of the Governor, the Preſident of the Legiſlative

Council shall execute all the powers vested in the Governor, until another Governor shall be chosen, or until the Governor absent, or impeached, shall return, or be acquitted: And in such case, the Legislative Council shall choose, by ballot, one of their body, to supply the place of the President, during the time he shall exercise the authority of the Governor.

All bills, which have passed the Legislative Council and Assembly, shall, before they become laws, be presented to the Governor, for his revisal: And if, upon revision, he approves thereof, he shall signify his approbation by signing the same; but if he objects to the passing of such bill, he shall return it, together with his objections in writing, to the Council or Assembly, in whichsoever it has originated, who shall enter the said objections at large upon their records, and proceed to reconsider the said bill: But if, after such reconsideration, two thirds of the Legislative Council or Assembly shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of legislature, where it shall also be reconsidered, and, if approved by two thirds of the members present, it shall have the force of a law; but in all such cases, the votes of both houses shall be determined by Yeas and Nays, and the names of the persons voting, for or against the said bill, shall be entered on their records.

And in order to prevent unnecessary delays, if any bill shall not be returned by the governor within days after it shall have been presented, the same shall be a law, unless the General Assembly shall, by an adjournment, render a return within days impracticable; in which case, the bill shall be returned on the first day of the meeting of the legislature, after the expiration of the said days.

A secretary shall be elected by the joint ballot of the Legislative Council and Assembly, and shall be commissioned by the governor for the time being; he shall be keeper of the seals of the state, and shall, under the direction of a committee of both branches of the legislature, affix the seal to the laws, when the same shall be enacted: He shall countersign all commissions, signed by the Governor, and all orders drawn by him on the treasury of the state, for monies appropriated, as well as all marriage and tavern licences; and perform the other duties which may be enjoined him by the constitution or laws of this commonwealth: He shall keep fair records of his proceedings, to be laid before either house of the Legislature, when called for; and shall attend the Governor, or either house, when required.

That Sect. 21 be altered, and stand amended as follows:

All commissions shall be in the name of the commonwealth of Pennsylvania, sealed with the state seal, signed by the Governor, or the person exercising the powers of government for the time, and attested by the Secretary.

That Sect. 22 be altered as follows:

Every officer of this commonwealth, whether judicial or executive, shall be liable to impeachment by the Assembly, either in office, or at any time within 12 months after removal or resignation, for mal-administration, and all impeachments shall be before the Legislative Council, who shall hear and determine the same.

The judges of the supreme court, and of the respective courts of common pleas, shall have fixed salaries, shall be appointed and commissioned by the Governor, and shall hold their appointments and salaries during good behaviour. They may be removed by the Governor, upon the address of the General Assembly, provided two thirds of each house agree to such address. They shall not be capable of sitting in the Continental Congress or General Assembly, nor to hold any other office civil or military, nor shall they take or receive fees or perquisites of any kind.

That Sect. 30 be altered as follows:

Justices of the peace shall be elected by the freeholders of each city and county respectively; that is to say, Two or more persons may be chosen for each ward, township or district, as the law shall hereafter direct, and their names shall be returned to the Governor, who shall commissionate one or more of them for each ward, township or district, so returning, for seven years, removeable by the Governor, on the address of the General Assembly: But if any city or county, ward, township or district in this commonwealth, shall hereafter incline to change the manner of appointing their Justices of the Peace, as settled in this article, the General Assembly may make laws to regulate the same, agreeable to the desire of a majority of the freeholders of the city or county, ward, township or district, so applying. No Justice of the Peace shall sit in the General Assembly, unless he first resign his commission; nor shall he be allowed to take any fees, nor any salary or allowance, except such as are or may hereafter be granted by law.

That in Sect. 31, Governor be inserted, in the room of President and Council.

That in Sect. 33, the following words be struck out, "unless altered or abolished by the future Legislature."

Because, in our opinion, the restriction should be absolute, and not subject to the will of any future General Assembly.

Sect. 34, instead of "President and Council," Governor be inserted.

Sect. 40, the words "as established by the Convention," be left out.

Sect. 42, be amended as follows:

Every foreigner, of good character, who comes to settle in this state, having first taken an oath or affirmation of allegiance to the same, may purchase, or by other just means acquire, hold and transfer land, or other real estate, and, after two years residence, shall be deemed a free denizen thereof, except that he shall not be capable of being elected a Representative in Assembly, or in the Legislative Council, or of being elected or appointed to any office of trust, until he has resided in the state five years.

That Sect. 47 be left out.

Your committee beg leave to add, that the confused manner in which the Constitution is thrown together is justly exceptionable: At the same time to remark, that their Report will appear liable to the same objections, because they have thought it their duty to follow the Constitution in the order in which it stands, and to propose the alterations and amendments to each in the same order.

The report being considered by paragraphs, and the question—Will Council agree to the same?—being put on every paragraph, the Yeas and Nays were required on each question by Mr. Smiley and Mr. Smith, and stood as follows:

YEAS.	YEAS.
1. *Samuel Miles,*	3. *Frederick A. Muhlenberg,*
2. *Thomas Fitzsimons,*	4. *Arthur St. Clair,*
5. *Anthony Wayne,*	9. *Richard M'Allister,*
6. *James Moore,*	10. *William Irvine,*
7. *Stephen Chambers,*	11. *John Arndt,*
8. *Thomas Hartley,*	12. *David Espy.*
NAYS.	**NAYS.**
1. *Joseph Hart,*	6. *John Smiley,*
2. *Samuel Smith,*	7. *William Finley,*
3. *John Whitehill,*	8. *James Edgar,*
4. *Simon Driesbach,*	9. *John M'Dowell.*
5. *Baltzer Gehr,*	

So the different paragraphs in the report were carried in the affirmative.

DISSENTIENT,

1st. BECAUSE the report is a manifest violation of the 47th section of the Constitution, under which we are appointed. We think it a duty we owe to ourselves and our constituents, to state fully and circumstantially the proceedings of this Council, previously to the decision of the present question, in order that our own characters may stand acquitted, and that our constituents, whose happiness, together with our own, is so intimately connected with it, may be enabled to form a proper judgment. On the 4th of December last, the Council resolved itself into a committee of the whole, to consider, "Whether there "is a necessity of amending any article of the Constitution "which may be defective; explaining such as may be "thought not clearly expressed; and of adding such as "are necessary for the preservation of the rights and happiness of the people." On the 1st of January instant, the committee of the whole made report, "That some articles of the Constitution of this commonwealth are materially defective, and absolutely require amendment," which was read the first time, and ordered to lie on the table. On the 2d of January, the above report was taken up for the second reading; when it was fully debated, and previously to the question being put on it, a member who voted against, and another who voted for the report, expressly and repeatedly declared (which the whole Council acquiesced in) "That the decision of this question was to determine absolutely whether a Convention was to be called or not? Upon the question being put, it appeared, that of all the members elected, there were but twelve for adopting the report, and ten who were present against it; and although the minutes of the Council say it was carried in the affirmative, yet, as the Constitution expressly requires two thirds at least of all the Censors elected, which is eighteen, to concur in proposing changes in the Frame of Government, we are warranted in saying it was determined by more than the number required, that there does not exist a necessity of making any alterations. Therefore we consider the appointment of a committee, after this, to bring in propositions for altering the form of government, and all the subsequent proceedings of the Council on this subject, as factious, illegal, and establishing an alarming precedent. We cannot suppose that an appeal to the people at large is again intended; for this Council is authorised to deliberate and determine upon the propriety of making changes. Besides that appeal has been repeatedly made, and as often decided with unexampled unanimity in favor of the Constitution. It is also inconsistent with the idea of representation, and subversive of all legal and orderly government. If, however, this appeal be intended from the Council to its constituents, we wish it to be so stated; if to the Convention, we have already decided, by the constitutional number, that no Convention is to be called. Should good order and government be unhinged by this step, we persuade ourselves, that we have as little to fear as those who so violently urge the present measure.

2. Because we consider it as an essential principle in every constitution, that it shall not be lightly changed. Clogs and difficulties have therefore with great wisdom been thrown in the way of all attempts to change fundamental principles. In ours, the spirit of the Constitution requires, that in the course of seven years, faults of so alarming a tendency should be discovered, as to induce two thirds, at least, of all the Censors elected to concur in propositions for a change. This we conceive to be a principle essential to the preservation of any constitution whatever: Without it we shall be subject to continual fluctuations, and we fear fall into anarchy or tyranny.

3. Because we are convinced, that the same departure from the rule, which is prescribed by the Constitution for the calling of a Convention, will be perverted to authorise that Convention when assembled (by whatever means) to proceed to further and more extravagant innovations (if possible) than any of those which have been hitherto proposed, or at least avowed. If we suffer ourselves to be carried away by the tide of the party prevailing in the place where we happen at present to convene, we fear that the state may be plunged into irretrievable destruction. We may be happy in the preservation of a free Constitution; we tremble for the consequences of so wild a departure from the very principles which many of us have sworn to observe, and all of us profess to obey.

4th. Because we recollect the present Constitution was formed with great harmony, at the most auspicious period of time, when the flame of patriotism shone brightest, when the good people of the state were impressed with no other idea than that of acquiring and maintaining to themselves and their posterity equal liberty; when no factions were formed with ambitious or mercenary motives. We have seen it support the safety and happiness of the state, against a most formidable enemy without, with every embarrassment of a most indefatigable and insidious party within. We hoped, as the Constitution had pointed out an orderly mode of reconsidering every part of our proceedings at the end of seven years, that peace and harmony would have prevailed in the review. If we are disappointed, we must ascribe it to those who have undertaken to propose articles for alteration, when no legal body is constituted for making those alterations, and when it has been already decided, upon the principles of the Constitution, that a Convention shall not be called.

5th. Because the present Constitution, with all the pretended faults and imperfections, which have been so industriously searched out, and ascribed to it, by men who wanted an excuse for real disaffection or factious views, has stood the test of the most arduous trial, at a time when vigour and energy were indispensibly necessary, in the execution of measures essential to our safety, among a people of whose purity, in some parts of the state, we cannot boast.

6th. Because the alterations proposed will introduce a form of government much more expensive, burthensome and complicated;—but what we dread more than expence and delay, they tend to introduce among the citizens, new and aristocratic ranks, with a chief magistrate at their head, vested with powers exceeding those which fall to the ordinary lot of kings. We are sufficiently assured that the good people of Pennsylvania most ardently love equal liberty, and that they abhor all attempts to lift one class of citizens above the heads of the rest, and much more the elevating any one citizen to the throne of royalty; and herein we are confident we speak not only the language of our constituents, but that we proclaim also the voice of God and nature.

7th. Because we have been taught to believe that many free constitutions have been destroyed for want of the means of reducing them at fixed periods to their first principles. This has been constantly recommended by the greatest and best political writers, is fully established in the 14th section of our bill of rights, and has been wisely provided for by the 47th section of our frame of government. This salutary provision among others is now attemped to be destroyed; so that no guard may remain against innovations, no check may be left against the encroachments of power. Hereafter, if the present attempt should succeed, no constitutional mode can be appealed to upon the most attrocious and alarming abuses of government. Nothing will remain to the people but the dreadful appeal to arms, to which so many before us have been reduced to the necessity of applying. An appeal frequently unsuccessful and always dangerous; dangerous even in case of victory; because the conquerors, even under the standard of liberty, have so often proved tyrants. A legal mode is infinitely to be preferred, and we think ought always to be preserved.

JOSEPH HART, JOHN SMILEY,
SAMUEL SMITH, WILLIAM FINLEY,
JOHN WHITEHILL, JAMES EDGAR,
SIMON DRIESBACH, JOHN M'DOWELL,
BALTZER GEHR.

JANUARY 21, 1784.

A motion was made by Mr. Fitzsimons, seconded by Mr. St. Clair, in the words following:

Whereas the dissentients to the report of the committee appointed to propose alterations and amendments in the Constitution have, among other things, stated, that, on the 2d of January, when the report of the former committee on the Constitution was under consideration, "A member who voted for, and another who voted against the "report, expressly and repeatedly declared (which the "whole Council acquiesced in) that the decision of this "question was to determine, absolutely, whether a Convention was to be called or not:" Therefore

Resolved, That the Council did not, then, nor at any time since, acquiesce or agree in the opinion, that the vote of the 2d of January determined the question, as to calling a Convention.

On the question to agree to the same, the Yeas and Nays were required by Mr. Fitzsimons and Mr. St. Clair:

YEAS.	YEAS.
1. Samuel Miles,	8 Thomas Hartley,
2. Thomas Fitzsimons,	9. Richard M'Allister,
3. Fred. A. Muhlenberg,	10. William Irvine,
4. Arthur St. Clair,	11. James Read,
5. Anthony Wayne,	12. John Arndt,
6. James Moore,	13. David Espy,
7. Stephen Chambers,	
NAYS.	**NAYS.**
1. Joseph Hart,	6. John Smiley,
2. Samuel Smith,	7. William Finley,
3. John Whitehill,	8. James Edgar,
4. Baltzer Gehr,	9. John M'Dowell.
5. Simon Driesbach,	

So it passed in the affirmative, and the Resolution was adopted.

A member presented to the chair a draught of an address to the freemen of Pennsylvania, which was read, and is as follows:

Friends and Fellow-Citizens,

AGREEABLY to the trust reposed in us, we have met, and seriously deliberated upon those matters submitted to our consideration by the Constitution of this State.

The most weighty subject that has come before us is the Constitution itself. To that, therefore, whilst we have not neglected the others, we have principally directed our attention. We have examined it with candor. We have compared it with the constitutions of other states. We have discovered some of its defects. We have suggested the necessity of abolishing such parts of it as are *expensive and burthensome*, and dangerous to your liberties; and have with great deference thrown out, for your consideration, such alterations, as appeared to us to be best calculated to secure to you the blessings of free and equal government.

By the Report of our Committee, which accompanies this Address, you will perceive that, tho' the majority of this Council approve of the alterations, considering them essential to your existence as a free people, it has not yet met with the concurrence of two thirds of our whole number, which the Constitution has made necessary to enable us to call a Convention. We are strangers to the motives of the minority for refusing to give you an opportunity to judge upon a matter, you, and we, and all our posterity, are so deeply interested in, while, by their silence upon the subject of the report, they have confessed that the Constitution wants amendment. By refusing to indulge you in a Convention for that purpose, they hold up consequences from that meeting, that are dishonorable to freemen. They have, indeed, had the power to prevent it for the present, in the manner pointed out by the Constitution:—But their sullen *No* in this Council cannot rob you of your BIRTH-RIGHT.

Is it that they were concerned in the framing of the Constitution, and therefore cannot bear that any fault should be found with it?—This fondness for the productions of the brain is a weakness mankind is subject to.—But in so momentous a concern, passion and prejudice should, as far as human nature is capable of it, be laid aside, and the arguments offered weighed with that cool deliberation the subject deserves: Nor can it be, in any case, much less in the intricate science of government, upon which so few have had either leisure or opportunity to turn their thoughts, an impeachment of any man's judgment, to say he is mistaken.——If errors then have crept in, they ought to be corrected; if there are ambiguities, they should be explained; and if the system itself is wrong, it should be altered.

One cannot hesitate a moment in declaring, that all these were naturally to be expected from the time and circumstances under which the present Constitution was formed. Our political knowledge was in its infancy. The passions of the state were unusually agitated. A

rge body of militia were buſy in preparing to march to another ſtate, to oppoſe the progreſs of the Britiſh army. Another body of citizens, to the amount of 5000, were abſent, on the ſame ſervice, in the continental army. Amidſt the din of arms, and the dread of invaſion, and when many wiſe and able men were neceſſarily abſent, whoſe advice and aſſiſtance would have been of great uſe, was it reaſonable to expect that a Conſtitution could be formed, proper for a great and growing ſtate?—And if an improper one was formed, which is our decided opinion, ſhall it not be altered or amended?

Let it not be ſaid, that the Conſtitution has carried us triumphantly thro' a perilous war. This is far from being the caſe. We owe all the exertions of Pennſylvania to the virtue of the people. In times of danger, it is well known, the Conſtitution forſook us, and the will of our rulers became the only law. It is well known, likewiſe, that a great part of the citizens of Pennſylvania, from a perfect conviction that political liberty could never long exiſt under ſuch a frame of government, were oppoſed to the eſtabliſhment of it; and that when they did ſubmit to it, a ſolemn engagement was entered into by its then friends, that after ſeven years ſhould be expired, and the enemy driven from our coaſts, they would concur with them in making the wiſhed for amendments. The ſeven years have elapſed, and our country now enjoys a peace favourable to the moſt temperate deliberations on the ſubject of government; but a minority in this Council, which, by the abſurdity of its Conſtitution, can, in this inſtance, bind the majority, ſay it is unneceſſary. We appeal to your common ſenſe, whether ſuch a conduct is calculated to reſtore order and mutual confidence.

It may be proper here to remark, that this very minority, although near one half of the members preſent in this Council, do not repreſent one third of you: So that the voice of more than two thirds of the people, if the majority ſpeak your ſenſe, is ſunk entirely; and, contrary to all principles, the leſſer number binds the greater.

What do theſe men fear from a Convention? Are they afraid to truſt you with the exerciſe of the ineſtimable power of chooſing a government for yourſelves?—You cannot—you will not injure yourſelves in this buſineſs. If the Conſtitution, in its preſent form, is moſt agreeable, you have only to inſtruct your Repreſentatives in the Convention to adopt it in all its parts. You are the Sovereigns in Pennſylvania. All the power of the ſtate is derived from your votes. Nothing can be obligatory on you, which is contrary to your inclinations, or repugnant to your happineſs. We do not quote any part of the Bill of Rights to prove to you, that you may call a Convention when, and in what manner, you pleaſe.—This privilege is your birth-right, and no power on earth can deprive you of it. We appeal to you, therefore, to decide the great queſtion—Whether Pennſylvania ſhall continue unhappy and diſtracted under her preſent Conſtitution, or whether, by calling a Convention, and amending it, you will reſtore harmony amongſt yourſelves, and dignity to your government.

We recommend to your ſerious conſideration the report of our committee, which has been adopted by this Council, and has become one of its acts. Weigh the reaſons upon which it is founded with coolneſs and deliberation, and ſuffer not yourſelves to be impoſed upon, or your paſſions inflamed, by artful men, or by words without a meaning. We can have no intereſt ſeparate from yours; and as to our political principles, when you recollect that all have been the conſiſtent oppoſers of our Britiſh foes, and moſt of us have riſqued our lives and fortunes during the whole of the conteſt, you can entertain no doubt about them. The propoſed alterations are not experiments, but are founded on reaſon and the experience of our ſiſter ſtates. The future welfare of your country is in your hands. If you give her a good government, ſhe will be *great and free.*—If you miſtake in this point, the die will be caſt, and you are ſealed up to inſignificance or miſery.

We have not the moſt diſtant proſpect that the gentlemen in the minority will concur in calling a Convention to amend the Conſtitution, which we have thought, we hope not improperly, the moſt important part of our buſineſs? And it is that you might have an opportunity to inſtruct them on that ſubject, that we have at preſent ſuſpended our deliberations.

Signed, by Order of Council,

FREDERICK A. MUHLENBERG, Preſident.

A motion was made by Mr. Wayne, ſeconded by Mr. Chambers,

That the Preſident ſign the addreſs, and that it be publiſhed with the report.

On the queſtion to agree to the ſame, the yeas and nays were required by Mr. Smiley:

YEAS.	YEAS.
1. *Samuel Miles,*	7. *Stephen Chambers,*
2. *Thomas Fitzſimons,*	8. *Thomas Hartley,*
3. *Fred. A. Muhlenberg,*	9. *Richard M'Alliſter,*
4. *Arthur St. Clair,*	10. *William Irwine,*
5. *Anthony Wayne,*	11. *John Arndt,*
6. *James Moore,*	12. *David Eſpy.*
NAYS.	**NAYS.**
1. *Joſeph Hart,*	6. *Simon Drieſbach,*
2. *Samuel Smith,*	7. *John Smiley,*
3. *John Whitehill,*	8. *William Finley,*
4. *James Read,*	9. *James Edgar,*
5. *Baltzer Gehr,*	10. *John M'Dowell.*

So it was reſolved in the affirmative.

Council then adjourned until three o'clock on Tueſday, the firſt of June next, P. M.

Extract from the Minutes,

JOHN ROSE, Secretary.

The *ADDRESS* of the MINORITY of the Council of Cenſors, to the Citizens of Pennſylvania.

Friends and Fellow-Citizens,

ACCORDING to the ſacred truſt repoſed in us by the Conſtitution of this commonwealth, we met in the Council of Cenſors; and among the many important matters ſubmitted to our deciſion, we early took into conſideration the Conſtitution itſelf; and after the moſt mature deliberation, *ten* of us were of opinion, that it was not ſo defective as to require an amendment by a new Convention. However *twelve* of our number were of different ſentiments: But as the Conſtitution requires *two thirds* of the Cenſors choſen to agree together in the ſame opinion, before we be authorized to call a convention; the alteration or amendment of the Conſtitution became no longer a proper object of our deliberation; eſpecially when not one *half*, much leſs two thirds of the Cenſors choſen had expreſſed their ſentiments, that it needed an amendment. Yet the *twelve* members above mentioned, finding themſelves able to carry any vote, contrary to the plaineſt and moſt forceable arguments we could urge, againſt intermeddling with a buſineſs of ſo delicate a nature, thus put out of our power by the conſtitution itſelf, ſtill inſiſted upon dabbling in the matter; and accordingly appointed a committee of their *own number*, to prepare and bring in a new form of government.

This operation has neceſſarily waſted much of our time, and involved you in a very needleſs expence, while the proper buſineſs of the Cenſors has been neglected. Inſtead of enquiring into the violations of our Conſtitution, the conduct of public officers, or the expenditure of your money, our time has been ſhamefully waſted, by the obſtinate perſeverance if this ſmall majority of *two* members, who have been contriving means to lead the free citizens of this ſtate into an adoption of their new conſtitution. For this purpoſe, they have obliged us to adjourn 'till the firſt of June next, and have printed their goodly frame of government, accompanied with a ſmooth and inſidious addreſs; in hopes of inducing you to inſtruct us, to agree to a plan, which, in our opinion, is founded upon the ariſtocratic principles of domination, and calculated to rivet the ſhackles of ſlavery upon you and your innocent poſterity for ever.

We have oppoſed this deſtructive meaſure in every ſtage of its progreſs thro' the Council, and have entered our ſolemn proteſt on the minutes, againſt the introduction of a plan of government, which raiſes one part of the citizens above another, with a *King* or Governor at their head, who, with a moderate ſhare of underſtanding and a ſmall tincture of ambition in his nature, cannot fail to grow into one of the moſt formidable tyrants on the earth. We refer you to the reaſons of our opinion on this ſubject, printed at large in our *diſſent*.

As you have honored us with ſo exalted a ſtation, as that of guardians of your liberty, in the moſt critical conjuncture, when the diſappointed ſpirit of domination is crawling from its lurking places, where it lay concealed, in ſullen fretfulneſs and diſcontent, in the time of danger, and is either ſecretly at work, or with unparalelled effrontery is openly graſping at places, which your virtue has preſerved, and which its timid votaries would have trembled to fill, when the enemy were rioting in your ſtate, we cannot, we dare not hold our peace; we look upon it as one of the moſt ſacred obligations we are under to our country, to ſound the alarm to the moſt diſtant corners of the ſtate; and wiſh that our voice could be heard through the United States of America, that our fellow citizens might, in ſimilar circumſtances, be rouſed into vigilance and attention, to guard that ſacred liberty, which has coſt the blood of thouſands, and the fortunes of the beſt whigs in America.

We hope that, at this dangerous criſis, you will exert every legal power, that is yet ſecured to you by our invaluable Conſtitution, which has carried us triumphantly through a glorious war, to tranſmit this ſacred palladium of liberty inviolate to your lateſt poſterity. Let no artful addreſſes of thoſe aſpiring deſpots, who wiſh to eſtabliſh and fill an upper Houſe of *Lords* amongſt you, that they may thereby more effectually teach you ſubmiſſion to your *betters*, prevail with you to give up a Conſtitution, which is the admiration of Europe,* which attracts the attention of every friend of equal liberty in the world, and which will continue to brighten and grow illuſtrious as long as the lamp of ſcience ſhall irradiate this weſtern world, and the genious of liberty protect its hardy ſons from the incroachments of arbitrary power.

Read over the propoſed alterations of your conſtitution with attention; they will ſpeak for themſelves; and tremble at the enormous powers that are to be wreſted out of your hands, and lodged in your future governor. The grand objection to our preſent Conſtitution is, that it retains too much power in the hands of the people, who do not know how to uſe it, ſo well as gentlemen of fortune, whoſe eaſy circumſtances give them leiſure, to contrive how to ſpend your money to the beſt advantage; and that it gives no advantage to the rich over the poor, inaſmuch as they muſt ſit in the ſame Houſe with the ill-dreſſed farmers from the country, if they would have any ſhare in the Legiſlature. To remedy theſe inconveniencies, it is humbly propoſed to your conſideration, whether you will not eſtabliſh an Upper Houſe to accommodate *the better ſort of people*, and to veſt them with full power to prevent any law from paſſing, which a number of honeſt farmers from the country may judge to be ſalutary and beneficial to the ſtate. And leſt you might have the ſmalleſt chance to get a ſingle law enacted, which does not comport with the views of your new lords and maſters, you are earneſtly requeſted to inveſt your Governor or King (for it matters not by what name you may call him) with abſolute power to put a negative on any bill, which both Houſes may agree to enact, unleſs he be ſo poor, or avaricious as not to be able to bribe one third of either Houſe to adhere to the alterations he may be pleaſed to make.

And that you may finally deſpair of ever having it in your power without bloodſhed to counteract an ambitious tyrant at the head of your government, it is farther propoſed to give him abſolute power to appoint and commiſſion every officer in the ſtate, both civil and military, from himſelf down to the conſtable or door-keeper, except only the treaſurer of the ſtate, and the magiſtrates in their reſpective diſtricts, whom you are yet allowed to elect, altho' much againſt the wiſh of the friends of this new conſtitution.

Now, think what hopeful proſpects you have of making a ſucceſsful oppoſition to a domeſtic tyrant, armed with theſe formidable powers; and what a contemptible figure you muſt make, when aſſociated under your military officers, the creatures of his appointment, who will doubtleſs lead you on, with intrepid bravery, to oppoſe the arbitrary encroachments of their maſter, to whoſe creating breath they owe their exiſtence as your officers. Let no man perſuade you, that this is only an imaginary ſcene. The day may come, and will probably arrive very ſoon, if you adopt the new conſtitution, when you will have no reſource left, but to appeal to the ſword for the recovery of your loſt liberties and rights. And would you, with open eyes, reduce yourſelves to the miſerable ſituation of being obliged to hazard your lives, under the command of ſuch *dependent* officers, who, from gratitude for their appointment, will be ſtrongly tempted to ſacrifice you to the ambitious views of their maſter? Would you rather lodge this power in the hands of an aſpiring deſpot, encircled with an hoſt of needy, ſycophantic dependents, ſpread over every department of the ſtate, than reſerve it in your own hands, where it is now placed by your happy conſtitution, and where it can never be employed but for your advantage?

And that the ſhadow of power reſerved for you by the new conſtitution, in chuſing your own magiſtrates, may be of as little advantage as poſſible to the people, your governor is alſo to be inveſted with the power of appointing other judges of the court of common pleas; ſo that there may be no occaſion for your magiſtrates to put themſelves to the needleſs expence of attending their courts, but may confine themſelves to the buſineſs of granting warrants at home, and ſettling petty diſputes among their neighbours, unleſs they ſhould chuſe to go to a court of common pleas to be ſolemn witneſſes to the deciſions given by the judges of his excellency's appointment. Theſe are the golden proſpects held out to you, in the military and judicial departments, in exchange for the ſubſtantial freedom ſecured to you by your preſent conſtitution.

Nor are your hopes and proſpects from your repreſentatives a whit better, whether in the upper or lower Houſe of Aſſembly. In order that they may have it in their power more effectually to diſpoſe of you, your liberty and property, without detection,

* *The following is an extract of a letter from Dr. Franklin, to his friend in Philadelphia, dated March 19. 1780.*

"The diſputes about the Conſtitution ſeem to have ſubſided. It is "much admired here and all over Europe, and will draw over many "families of fortune to ſettle under it as ſoon as there is a peace."

to the higheſt bidder, it is curiouſly provided in the new conſtitution, that there ſhall be no more reaſons of diſſent entered on the minutes of either houſe. So that you are to be kept in the dark, with reſpect to the conduct of your repreſentatives, and there is not the leaſt trace to be left on the minutes, by which you can diſtinguiſh between a virtuous repreſentative, and one who has ſold you, like the cattle on his farm, to any ambitious maſter, who has money enough to pay the purchaſe.

And that you may have no hope of removing a powerful faction from any department in the government, all rotation of office is to be aboliſhed; and any tyrant in office, from the Governor down, may be either continued, or re-appointed at his pleaſure, and your Repreſentatives re-elected during life, as long as they can find means to manage an election, or to bribe, or bully their unhappy dependents into a proſtituted vote.

We have heard a great deal from the enemies of our Conſtitution, about the expence of the preſent government, who, under pretence of economy, have ſcandalouſly ſtarved the Judges of the Supreme Court, who were early whigs, and had fortitude enough to fill that hazardous ſtation, when ſcarcely a ſingle man of the preſent prevailing faction, who are now bawling ſo loudly for a change of government, could be found, to undertake the office of condemning a loyal ſubject of the Britiſh King, for his treachery to his country. And lo! here is a new Conſtitution, incomparably more burthenſome and expenſive than the former, which, with ſhameleſs inconſiſtency, you are courted to adopt. Inſtead of thirteen Counſellors, you are now ſollicited to pay twenty-nine at leaſt, to compoſe an Upper Houſe, with the comfortable proſpect, that they may grow in time to the number of fifty. And your Houſe of Aſſembly, who now ſit half the year (ſince the anticonſtitutionaliſts have compoſed the majority) will then probably ſit the whole year, when they will have both an overgrown Governor, and a Houſe of Lords to contend with, and poſſibly be obliged, at the end of it, to break up without paſſing a ſingle law for the benefit of the people.

It would be endleſs to run through all the alterations which your Counſellors have propoſed in our Conſtitution, and expoſe to open view the horrid principles of tyranny and domination, which it has artfully concealed under the ſpecious pretence of calling upon you, to conſult for your future proſperity, by introducing the Trojan horſe within your walls, from whoſe pregnant womb a choſen band of armed robbers is to iſſue forth, that will ſoon lay your liberties proſtrate in the duſt.

We would therefore call upon you with our expiring breath, to guard the Conſtitution of Pennſylvania, with all the virtue and reſolution which you formerly exerted, when the enemy were glutting themſelves with the blood of the firſt born whigs of America. Suffer not the pledge of your dear bought freedom to be wreſted out of your hands, nor yourſelves to be duped into a tame ſurrender of your birth-rights, by the plauſible pretences of aſpiring perſons, whoſe ambitious views are but too much countenanced by our fellow Councillors. If you inſtruct us to call a new Convention to adopt this ſyſtem of tyranny, remember, that this is the laſt warning of approaching danger, that ever you are to have from a Council of Cenſors; for we are to be demoliſhed by this new Conſtitution; and if the groans of your future ſlavery would ever rouſe you to thoughts of recovering your loſt freedom, you muſt firſt manure the plains of a ſecond Runnemede with the richeſt blood of America.

We hope you will not only diſcourage all petitions for a change of government which may be circulated amongſt you; but that you will alſo uſe your beſt endeavours to promote counter petitions and remonſtrances, to prevent the ambitious views of that reſtleſs ariſtocracy, who are induſtriouſly labouring to lull you into ſecurity, until they eſtabliſh themſelves and their diſaffected abettors, in ſuch a ſyſtem of domination as cannot eaſily be ſhaken. It was the ſame ſpirit, now grown rampant through your indulgence, that called upon you in the year 1779, for a change of your Conſtitution, and then had the mortification to find upwards of ſixteen thouſand whigs in Pennſylvania againſt eight hundred, forbidding that new-born faction to lay their ſacrilegious hands upon your infant Conſtitution. At that trying conjuncture, when every whig was known by his animated exertions for his country, there were no more than eight hundred to be found, who openly dared to attack the free Conſtitution of your ſtate, and call for another more adapted to their ariſtocratic views; and if there are more to be found at this day, it muſt be attributed to the lenity of that government, which they are now willing to demoliſh, and which, by a miſtaken clemency, has enabled them at this time to plot the deſtruction of the liberties of Pennſylvania.

JOSEPH HART, JOHN SMILEY,
SAMUEL SMITH, WILLIAM FINLEY,
JOHN WHITEHILL, JAMES EDGAR,
SIMON DRIESBACH, JOHN M'DOWEL.
BALTZER GHER,

To be SOLD by way of public Vendue,

on the premiſes, on the 26th day of February next,

A VALUABLE PLANTATION or Tract of LAND, ſituate in the township of Aſhton, in the county of Cheſter, and ſtate of Pennſylvania, about 7 miles from Cheſter, and 18 from Philadelphia; the road leading from Darby through Providence to Chadd's Ford runs through ſaid premiſes; about 150 acres of land, be the ſame more or leſs, a ſufficient quantity of woodland well timbered, about ten acres of good watered meadow made, and as much more may be made and watered; the upland is divided into ſix fields, five of which lie ſouth, and each watered by never failing ſprings; though the character of ſaid land will ſpeak for itſelf; it is pleaſant and healthy: There are on the premiſes a comfortable dwelling-houſe, with barn, ſtables, ſpring-houſe and other out-houſes, a well of good water near the door, and a good bearing orchard; bounded by lands of Benjamin Sharpleſs, Abraham Martin and others, and on the north-eaſt ſide by Cheſter creek, where there is a convenience to erect any kind of water-works, &c. and convenient to ſundry places of worſhip. Any perſon inclining to view the premiſes before the day of ſale, are deſired to apply to the ſubſcriber, living on the ſame. JOHN M'MINN, ſenior.

N. B. An indiſputable title will made by ſaid M'Minn; if the plantation is not ſold it will be rented, and may be entered on the firſt of April next. ¶

FOUND,

On the ſecond inſtant, in a ſtable, between Philadelphia and the Seven Stars, on Briſtol road,

A SILVER WATCH.

The owner, by applying to the ſubſcriber, living near Whitemarſh Church, proving property, and paying charges, may have it again. EVAN MEREDITH. § *Jan.* 26.

To be SOLD by public Vendue,

On the 30th inſtant,

A SMALL PLANTATION, ſituate in the township of Blockley, Philadelphia county, containing 27 acres and an half, about four miles and an half from Philadelphia, adjoining lands of James Worrell and Aaron Hibbert; there are on ſaid place, a good brick houſe, two ſtories high, two rooms on a floor, and a good cellar under the ſame, a log barn, alſo a never-failing ſpring of water hard by the houſe, and a ſtone ſpring-houſe over the ſame; there are alſo on ſaid premiſes about 7 acres of woodland, 4 acres of mowing meadow, and the remainder tillable ground; ſaid place lies on Marſhall's road. Any perſon inclining to purchaſe the ſame, may know the terms, by applying to the ſubſcriber, on the day of ſale.

January 8, 1784. § WILLIAM TYSON.

Printed by HALL & SELLERS.

the body of militia were busy in preparing to march to another state, to oppose the progress of the British army. Another body of citizens, to the amount of 5000, were absent, on the same service, in the continental army. Amidst the din of arms, and the dread of invasion, and when many wise and able men were necessarily absent, whose advice and assistance would have been of great use, was it reasonable to expect that a Constitution could be formed, proper for a great and growing state?—And if an improper one was formed, which is our decided opinion, shall it not be altered or amended?

Let it not be said, that the Constitution has carried us triumphantly thro' a perilous war. This is far from being the case. We owe all the exertions of Pennsylvania to the virtue of the people. In times of danger, it is well known, the Constitution forsook us, and the will of our rulers became the only law. It is well known, likewise, that a great part of the citizens of Pennsylvania, from a perfect conviction that political liberty could never long exist under such a frame of government, were opposed to the establishment of it; and that when they did submit to it, a solemn engagement was entered into by its then friends, that after seven years should be expired, and the enemy driven from our coasts, they would concur with them in making the wished for amendments. The seven years have elapsed, and our country now enjoys a peace favourable to the most temperate deliberations on the subject of government; but a minority in this Council, which, by the absurdity of its Constitution, can, in this instance, bind the majority, say it is unnecessary. We appeal to your common sense, whether such a conduct is calculated to restore order and mutual confidence.

It may be proper here to remark, that this very minority, although near one half of the members present in this Council, do not represent one third of you: So that the voice of more than two thirds of the people, if the majority speak your sense, is sunk entirely; and, contrary to all principles, the lesser number binds the greater.

What do these men fear from a Convention? Are they afraid to trust you with the exercise of the inestimable power of choosing a government for yourselves?—You cannot—you will not injure yourselves in this business. If the Constitution, in its present form, is most agreeable, you have only to instruct your Representatives in the Convention to adopt it in all its parts. You are the Sovereigns in Pennsylvania. All the power of the state is derived from your votes. Nothing can be obligatory on you, which is contrary to your inclinations, or repugnant to your happiness. We do not quote any part of the Bill of Rights to prove to you, that you may call a Convention when, and in what manner, you please.—This privilege is your birth-right, and no power on earth can deprive you of it. We appeal to you, therefore, to decide the great question—Whether Pennsylvania shall continue unhappy and distracted under her present Constitution, or whether, by calling a Convention, and amending it, you will restore harmony amongst yourselves, and dignity to your government.

We recommend to your serious consideration the report of our committee, which has been adopted by this Council, and has become one of its acts. Weigh the reasons upon which it is founded with coolness and deliberation, and suffer not yourselves to be imposed upon, or your passions inflamed, by artful men, or by words without a meaning. We can have no interest separate from yours; and as to our political principles, when you recollect that all have been the constant opposers of our British foes, and most of us have risqued our lives and fortunes during the whole of the contest, you can entertain no doubt about them. The proposed alterations are not experiments, but are founded on reason and the experience of our sister states. The future welfare of your country is in your hands. If you give her a good government, she will be *great and free.*—If you mistake in this point, the die will be cast, and you are sealed up to insignificance or misery.

We have not the most distant prospect that the gentlemen in the minority will concur in calling a Convention to amend the Constitution, which we have thought, we hope not improperly, the most important part of our business? And it is that you might have an opportunity to instruct them on that subject, that we have at present suspended our deliberations.

Signed, by Order of Council,

FREDERICK A. MUHLENBERG, President.

A motion was made by Mr. Wayne, seconded by Mr. Chambers,

That the President sign the address, and that it be published with the report.

On the question to agree to the same, the yeas and nays were required by Mr. Smiley:

YEAS.	YEAS.
1. *Samuel Miles,*	7. *Stephen Chambers,*
2. *Thomas Fitzsimons,*	8. *Thomas Hartley,*
3. *Fred. A. Muhlenberg,*	9. *Richard M'Allister,*
4. *Arthur St. Clair,*	10. *William Irvine,*
5. *Anthony Wayne,*	11. *John Arndt,*
6. *James Moore,*	12. *David Espy.*
NAYS.	**NAYS.**
1. *Joseph Hart,*	6. *Simon Driesbach,*
2. *Samuel Smith,*	7. *John Smiley,*
3. *John Whitehill,*	8. *William Finley,*
4. *James Read,*	9. *James Edgar,*
5. *Baltzer Gehr,*	10. *John M'Dowell.*

So it was resolved in the affirmative.

Council then adjourned until three o'clock on Tuesday, the first of June next, P. M.

Extract from the Minutes,

JOHN ROSE, Secretary.

The ADDRESS *of the* MINORITY *of the* Council of Censors, *to the Citizens of* Pennsylvania.

Friends and Fellow-Citizens,

ACCORDING to the sacred trust reposed in us by the Constitution of this commonwealth, we met in the Council of Censors; and among the many important matters submitted to our decision, we early took into consideration the Constitution itself; and after the most mature deliberation, *ten* of us were of opinion, that it was not so defective as to require an amendment by a new Convention. However *twelve* of our number were of different sentiments: But as the Constitution requires *two thirds* of the Censors chosen to agree together in the same opinion, before we be authorized to call a convention; the alteration or amendment of the Constitution became no longer a proper object of our deliberation; especially when not one *half*, much less two thirds of the Censors chosen had expressed their sentiments, that it needed an amendment. Yet the *twelve* members above mentioned, finding themselves able to carry any vote, contrary to the plainest and most forceable arguments we could urge, against intermeddling with a business of so delicate a nature, thus put out of our power by the constitution itself, still insisted upon dabbling in the matter; and accordingly appointed a committee of their *own number*, to prepare and bring in a new form of government.

This operation has necessarily wasted much of our time, and involved you in a very needless expence, while the proper business of the Censors has been neglected. Instead of enquiring into the violations of our Constitution, the conduct of public officers, or the expenditure of your money, our time has been shamefully wasted, by the obstinate perseverance if this small majority of *two* members, who have been contriving means to lead the free citizens of this state into an adoption of their new constitution. For this purpose, they have obliged us to adjourn 'till the first of June next, and have printed their goodly frame of government, accompanied with a smooth and insidious address; in hopes of inducing you to instruct us, to agree to a plan, which, in our opinion, is founded upon the aristocratic principles of domination, and calculated to rivet the shackles of slavery upon you and your innocent posterity for ever.

We have opposed this destructive measure in every stage of its progress thro' the Council, and have entered our solemn protest on the minutes, against the introduction of a plan of government, which raises one part of the citizens above another, with a *King* or Governor at their head, who, with a moderate share of understanding and a small tincture of ambition in his nature, cannot fail to grow into one of the most formidable tyrants on the earth. We refer you to the reasons of our opinion on this subject, printed at large in our *dissent*.

As you have honored us with so exalted a station, as that of guardians of your liberty, in the most critical conjuncture, when the disappointed spirit of domination is crawling from its lurking places, where it lay concealed, in sullen fretfulness and discontent, in the time of danger, and is either secretly at work, or with unparalelled effrontery is openly grasping at places, which your virtue has preserved, and which its timid votaries would have trembled to fill, when the enemy were riotting in your state, we cannot, we dare not hold our peace; we look upon it as one of the most sacred obligations we are under to our country, to sound the alarm to the most distant corners of the state; and wish that our voice could be heard through the United States of America, that our fellow citizens might, in similar circumstances, be roused into vigilance and attention, to guard that sacred liberty, which has cost the blood of thousands, and the fortunes of the best whigs in America.

We hope that, at this dangerous crisis, you will exert every legal power, that is yet secured to you by our invaluable Constitution, which has carried us triumphantly through a glorious war, to transmit this sacred palladium of liberty inviolate to your latest posterity. Let no artful addresses of those aspiring despots, who wish to establish and fill an upper House of *Lords* amongst you, that they may thereby more effectually teach you submission to your *betters*, prevail with you to give up a Constitution, which is the admiration of Europe,* which attracts the attention of every friend of equal liberty in the world, and which will continue to brighten and grow illustrious as long as the lamp of science shall irradiate this western world, and the genious of liberty protect its hardy sons from the incroachments of arbitrary power.

Read over the proposed alterations of your constitution with attention; they will speak for themselves; and tremble at the enormous powers that are to be wrested out of your hands, and lodged in your future governor. The grand objection to our present Constitution is, that it retains too much power in the hands of the people, who do not know how to use it, so well as gentlemen of fortune, whose easy circumstances give them leisure, to contrive how to spend your money to the best advantage; and that it gives no advantage to the rich over the poor, inasmuch as they must sit in the same House with the ill-dressed farmers from the country, if they would have any share in the Legislature. To remedy these inconveniencies, it is humbly proposed to your consideration, whether you will not establish an Upper House to accommodate *the better sort of people*, and to vest them with full power to prevent any law from passing, which a number of honest farmers from the country may judge to be salutary and beneficial to the state. And lest you might have the smallest chance to get a single law enacted, which does not comport with the views of your new lords and masters, you are earnestly requested to invest your Governor or King (for it matters not by what name you may call him) with absolute power to put a negative on any bill, which both Houses may agree to enact, unless he be so poor, or avaricious as not to be able to bribe one third of either House to adhere to the alterations he may be pleased to make.

And that you may finally despair of ever having it in your power without bloodshed to counteract an ambitious tyrant at the head of your government, it is farther proposed to give him absolute power to appoint and commission every officer in the state, both civil and military, from himself down to the constable or door-keeper, except only the treasurer of the state, and the magistrates in their respective districts, whom you are yet allowed to elect, altho' much against the wish of the friends of this new constitution.

Now, think what hopeful prospects you have of making a successful opposition to a domestic tyrant, armed with these formidable powers; and what a contemptible figure you must make, when associated under your military officers, the creatures of his appointment, who will doubtless lead you on, with intrepid bravery, to oppose the arbitrary encroachments of their master, to whose creating breath they owe their existence as your officers. Let no man persuade you, that this is only an imaginary scene. The day may come, and will probably arrive very soon, if you adopt the new constitution, when you will have no resource left, but to appeal to the sword for the recovery of your lost liberties and rights. And would you, with open eyes, reduce yourselves to the miserable situation of being obliged to hazard your lives, under the command of such *dependent* officers, who, from gratitude for their appointment, will be strongly tempted to sacrifice you to the ambitious views of their master? Would you rather lodge this power in the hands of an aspiring despot, encircled with an host of needy, sycophantic dependents, spread over every department of the state, than reserve it in your own hands, where it is now placed by your happy constitution, and where it can never be employed but for your advantage?

And that the shadow of power reserved for you by the new constitution, in chusing your own magistrates, may be of as little advantage as possible to the people, your governor is also to be invested with the power of appointing other judges of the court of common pleas; so that there may be no occasion for your magistrates to put themselves to the needless expence of attending their courts, but may confine themselves to the business of granting warrants at home, and settling petty disputes among their neighbours, unless they should chuse to go to a court of common pleas to be solemn witnesses to the decisions given by the judges of his excellency's appointment. These are the golden prospects held out to you, in the military and judicial departments, in exchange for the substantial freedom secured to you by your present constitution.

Nor are your hopes and prospects from your representatives a whit better, whether in the upper or lower House of Assembly. In order that they may have it in their power more effectually to dispose of you, your liberty and property, without detection, to the highest bidder, it is curiously provided in the new constitution, that there shall be no more reasons of dissent entered on the minutes of either house. So that you are to be kept in the dark, with respect to the conduct of your representatives, and there is not the least trace to be left on the minutes, by which you can distinguish between a virtuous representative, and one who has sold you, like the cattle on his farm, to any ambitious master, who has money enough to pay the purchase.

And that you may have no hope of removing a powerful faction from any department in the government, all rotation of office is to be abolished; and any tyrant in office, from the Governor down, may be either continued, or re-appointed at his pleasure, and your Representatives re-elected during life, as long as they can find means to manage an election, or to bribe, or bully their unhappy dependents into a prostituted vote.

We have heard a great deal from the enemies of our Constitution, about the expence of the present government, who, under pretence of economy, have scandalously starved the Judges of the Supreme Court, who were early whigs, and had fortitude enough to fill that hazardous station, when scarcely a single man of the present prevailing faction, who are now bawling so loudly for a change of government, could be found, to undertake the office of condemning a loyal subject of the British King, for his treachery to his country. And lo! here is a new Constitution, incomparably more burthensome and expensive than the former, which, with shameless inconsistency, you are courted to adopt. Instead of thirteen Counsellors, you are now sollicited to pay twenty-nine at least, to compose an Upper House, with the comfortable prospect, that they may grow in time to the number of fifty. And your House of Assembly, who now sit half the year (since the anticonstitutionalists have composed the majority) will then probably sit the whole year, when they will have both an overgrown Governor, and a House of Lords to contend with, and possibly be obliged, at the end of it, to break up without passing a single law for the benefit of the people.

It would be endless to run through all the alterations which your Counsellors have proposed in our Constitution, and expose to open view the horrid principles of tyranny and domination, which it has artfully concealed under the specious pretence of calling upon you, to consult for your future prosperity, by introducing the Trojan horse within your walls, from whose pregnant womb a chosen band of armed robbers is to issue forth, that will soon lay your liberties prostrate in the dust.

We would therefore call upon you with our expiring breath, to guard the Constitution of Pennsylvania, with all the virtue and resolution which you formerly exerted, when the enemy were glutting themselves with the blood of the first born whigs of America. Suffer not the pledge of your dear bought freedom to be wrested out of your hands, nor yourselves to be duped into a tame surrender of your birth-rights, by the plausible pretences of aspiring persons, whose ambitious views are but too much countenanced by our fellow Councillors. If you instruct us to call a new Convention to adopt this system of tyranny, remember, that this is the last warning of approaching danger, that ever you are to have from a Council of Censors; for we are to be demolished by this new Constitution; and if the groans of your future slavery would ever rouse you to thoughts of recovering your lost freedom, you must first manure the plains of a second Runnemede with the richest blood of America.

We hope you will not only discourage all petitions for a change of government which may be circulated amongst you; but that you will also use your best endeavours to promote counter petitions and remonstrances, to prevent the ambitious views of that restless aristocracy, who are industriously labouring to lull you into security, until they establish themselves and their disaffected abettors, in such a system of domination as cannot easily be shaken. It was the same spirit, now grown rampant through your indulgence, that called upon you in the year 1779, for a change of your Constitution, and then had the mortification to find upwards of sixteen thousand whigs in Pennsylvania against eight hundred, forbidding that new-born faction to lay their sacrilegious hands upon your infant Constitution. At that trying conjuncture, when every whig was known by his animated exertions for his country, there were no more than eight hundred to be found, who openly dared to attack the free Constitution of your state, and call for another more adapted to their aristocratic views; and if there are more to be found at this day, it must be attributed to the lenity of that government, which they are now willing to demolish, and which, by a mistaken clemency, has enabled them at this time to plot the destruction of the liberties of Pennsylvania.

JOSEPH HART,	JOHN SMILEY,
SAMUEL SMITH,	WILLIAM FINLEY,
JOHN WHITEHILL,	JAMES EDGAR,
SIMON DRIESBACH,	JOHN M'DOWEL.
BALTZER GHER,	

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* *The following is an extract of a letter from Dr. Franklin, to his friend in Philadelphia, dated March 19, 1780.*

"*The disputes about the Constitution seem to have subsided. It is much admired here and all over Europe, and will draw over many families of fortune to settle under it as soon as there is a peace.*"

To be SOLD by way of public Vendue,

on the premises, on the 26th day of February next,

A VALUABLE PLANTATION or Tract of LAND, situate in the township of Ashton, in the county of Chester, and state of Pennsylvania, about 7 miles from Chester, and 18 from Philadelphia; the road leading from Darby through Providence to Chadd's Ford runs through said premises; about 150 acres of land, be the same more or less, a sufficient quantity of woodland well timbered, about ten acres of good watered meadow made, and as much more may be made and watered; the upland is divided into six fields, five of which lie south, and each watered by never failing springs; though the character of said land will speak for itself; it is pleasant and healthy: There are on the premises a comfortable dwelling-house, with barn, stables, spring-house and other out-houses, a well of good water near the door, and a good bearing orchard; bounded by lands of Benjamin Sharpless, Abraham Martin and others, and on the north-east side by Chester creek, where there is a convenience to erect any kind of water-works, &c. and convenient to sundry places of worship. Any person inclining to view the premises before the day of sale, are desired to apply to the subscriber, living on the same. JOHN M'MINN, senior.

N. B. An indisputable title will made by said M'Minn; if the plantation is not sold it will be rented, and may be entered on the first of April next. ¶

FOUND,

On the second instant, in a stable, between Philadelphia and the Seven Stars, on Bristol road,

A SILVER WATCH.

The owner, by applying to the subscriber, living near Whitemarsh Church, proving property, and paying charges, may have it again. EVAN MEREDITH. § *Jan.* 26.

To be SOLD by public Vendue,

On the 30th instant,

A SMALL PLANTATION, situate in the township of Blockley, Philadelphia county, containing 27 acres and an half, about four miles and an half from Philadelphia, adjoining lands of James Worrell and Aaron Hibbert; there are on said place, a good brick house, two stories high, two rooms on a floor, and a good cellar under the same, a log barn, also a never-failing spring of water hard by the house, and a stone spring-house over the same; there are also on said premises about 7 acres of woodland, 4 acres of mowing meadow, and the remainder tillable ground; said place lies on Marshall's road. Any person inclining to purchase the same, may know the terms, by applying to the subscriber, on the day of sale.

January 8, 1784. § WILLIAM TYSON.

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